
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

Executive Order 31 (2002)

DECLARATION OF A STATE OF EMERGENCY DUE TO EXTREME DROUGHT CONDITIONS THROUGHOUT THE COMMONWEALTH

The health and general welfare of the citizens of the Commonwealth require that state action be taken to help prepare for and alleviate the drought-related conditions that currently exist throughout the Commonwealth. I find that the potential effects of this drought constitute a natural disaster wherein human life and public and private property are imperiled, as described in §44-75.1.A.4 of the *Code of Virginia*.

Therefore, by virtue of the authority vested in me by § 44-146.17 of the *Code of Virginia*, as Governor and as Director of Emergency Management, and by virtue of the authority vested in me by Article V, Section 7 of the Constitution of Virginia and by §44-75.1 of the *Code of Virginia*, as Governor and Commander-in-Chief of the armed forces of the Commonwealth, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby proclaim that a state of emergency exists throughout the Commonwealth and direct that appropriate assistance be rendered by agencies of both state and local governments to prevent and alleviate any conditions resulting from drought, forest fires or extreme heat, and to implement prevention and recovery operations and activities so as to alleviate impacted areas from the effects of these conditions insofar as possible.

In accordance with my authority contained in §44-146.17 of the Emergency Services and Disaster Laws, I hereby order the following measures:

- A. Appropriate activation of the Virginia Emergency Operations Center (VEOC) and State Emergency Response Team (SERT). Furthermore, I am directing that the VEOC and SERT coordinate state operations in support of affected localities and the Commonwealth, to include issuing mission assignments to agencies designated in the COVEOP and others that may be identified by the State Coordinator of Emergency Management, in consultation with the Secretary of Public Safety, which are needed to provide for the preservation of life, protection of property and implementation of recovery activities.
- B. The authorization of the Departments of State Police, Transportation and Motor Vehicles to grant temporary overweight/overwidth/registration/license exemptions to carriers transporting essential emergency relief supplies into and through the Commonwealth in order to support the disaster response and recovery.

The axle and gross weights shown below are the maximum allowed, unless otherwise posted.

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| Any One Axle | 24,000 Pounds |
| Tandem Axles (more than 40 inches but not more than 96 inches spacing between axle centers) | 44,000 Pounds |
| Single Unit (2 Axles) | 44,000 Pounds |
| Single Unit (3 Axles) | 54,500 Pounds |
| Tractor-Semitrailer (4 Axles) | 64,500 Pounds |
| Tractor-Semitrailer (5 or more Axles) | 90,000 Pounds |
| Tractor-Twin Trailers (5 or more Axles) | 90,000 Pounds |
| Other Combinations (5 or more Axles) | 90,000 Pounds |
| Per Inch of Tire Width in Contact with Road Surface | 850 Pounds |

In addition to described overweight transportation privileges, carriers are also exempt from registration with Department of Motor Vehicles. This includes the vehicles enroute and returning to their home base. The above-cited agencies shall communicate this information to all staff responsible for permit issuance and truck legalization enforcement.

This authorization shall apply to hours worked by any carrier when transporting passengers, property, equipment, food, fuel, construction materials and other critical supplies to or from any portion of the Commonwealth for purpose of providing relief or assistance as a result of this disaster, pursuant to §52-8.4 of the *Code of Virginia*.

The foregoing overweight transportation privileges and the regulatory exemption provided by §52.8.4.A of the *Code of Virginia*, and implemented in 19 VAC 30-

20-40.B of the "Motor Carrier Safety Regulations," shall remain in effect for sixty (60) days from the onset of the disaster, or until emergency relief is no longer necessary, as determined by the Secretary of Public Safety in consultation with the Secretary of Transportation, whichever is earlier.

- C. The discontinuance of provisions authorized in paragraph B above may be implemented and disseminated by publication of administrative notice to all affected and interested parties by the authority I hereby delegate to the Secretary of Public Safety, after consultation with other affected Cabinet-level Secretaries.
- D. The implementation by public agencies under my supervision and control of their emergency assignments as directed in the COVEOP without regard to normal procedures pertaining to performance of public work, entering into contracts, incurring of obligations, or other logistical and support measures of the Emergency Services and Disaster Laws, as provided in §44-146.28 (b) of the *Code of Virginia*. Section 44-146.24 of the *Code of Virginia* also applies to the disaster activities of state agencies.

This Executive Order shall be effective July 31, 2002 and shall remain in full force and effect until July 31, 2003, unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 31st day of July 2002.

Mark R. Warner, Governor

Attest:

Secretary of the Commonwealth